

1
IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 18TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE V.K.SINGHAL

WRIT PETITION NO. 38629 OF 1992

BETWEEN:

M/s Pals Distilleries Ltd.,
a Company registered under the
Companies Act, 1956, having its
registered office at Jalahalli
Camp Road, Yeshwantpur,
Bangalore-22. rep.by
its Manager, Ramakrishna Reddy,
S/o Ramachandra Reddy, 28 years. ...Petitioner.

(By Sri A.Jagannatha Sheety, Adv.)

AND:

1. The Exicse Commissioner,
Government of Karnataka,
Hudson Circle, Bangalore.
2. The Superintendent of Exicse,
Pals Distilleries Ltd.,
Yeshwantpur, Bangalore-22. ...Respondents.

(By Smt. S.Sujatha, HCGP)

..2

Writ Petition is filed under Articles 226 and 227 of the Constitution of India with an affidavit praying to quash the Demand Notice No. EXP/PDL/60/92-93 dated 16.10.1992 issued by the Superintendent of Excise, respondent No.2 vide Ann.A in so far as it relates to demanding a sum of Rs.19,250/- being difference of ~~excise~~ duty on 683-050 bulk litres of rum(IML) consigned for export etc.,

Writ Petition is coming on for Hearing this day, the Court made the following:

O R D E R

In respect of the proceedings under Rule 25 of the Karnataka Excise (Distillery and Warehouse) Rules, 1967, appeal lies to the deputy Commissioner under Rule 30(1)(a). The questions which are involved are disputed questions of fact. It would be in the interest of justice, if the petitioner is permitted to file an appeal within five weeks from today. If the appeal is filed within the aforesaid

period

period, objection regarding limitation would not be raised.

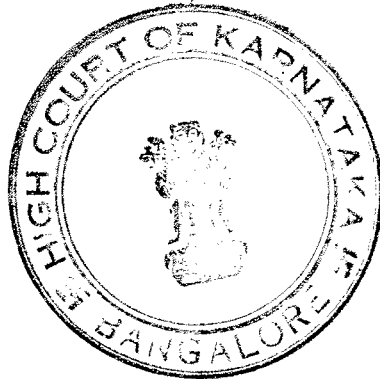
Petition stands disposed of with the above observations.

Sd/- JUDGE.

HK

r.by; 31/8/78

c.by; L.



COPY

W2

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

28/9

